

REMARKS

Claims 1-3, 7-9, 15, and 18 are pending.

Claims 1-3, 7-9, 15, and 18 are rejected.

Claims 4-6, 10-14, 16-17, and 19-20 are cancelled.

Claims 1, 7, and 15 are amended.

Claim 1 and 7 are amended to incorporate the substance of cancelled Claim 17.

Specifically, these claims address the point that the data format of the third essence is the same as that of the first and/or second essence. Support for this statement comes from the specification on page 3, lines 16-19, “The conversion of metadata into essence data is preferably performed by transferring essence data of the metadata into a new essence data file. Such a transfer *without transformation* enables rapid processing,” (emphasis added).

Aspects of this element were previously rejected under 35 U.S.C. 112, second paragraph for former Claim 17. Obviously, this amended claim is clear as to what occurs during the claimed transferring step of Claims 1 and 7.

Claims 1 and 7 are also amended to add the missing colon from the claims.

Claim 15 is amended to change the dependency of the claim from Claim 8 to 7.

No new matter was added in view of these amendments.

Objection to Claims 1 and 7

The Examiner objected to Claims 1 and 7 because the claims lacked a colon at the end of the preamble. The claims, as amended, have such a colon. Applicants request that the Examiner remove the rejection to the claims.

Rejection of Claims 12, 13, 16, 17, and 20 under 35 U.S.C. 112

The Examiner rejected Claims 12, 13, 16, 17, and 20 under 35 U.S.C. 112 for various reasons. These rejections are now moot in that these claims are now cancelled. Applicants request that the Examiner remove this rejection.

Rejection of Claims 1-3, 7-9, and 18 under 35 U.S.C. 102

The Examiner rejected Claims 1-3, 7-9, and 18 under 35 U.S.C. 102(e) as being anticipated by Jain et al. (U.S. Patent 6,567,980 B1, hereafter referred to as ‘Jain’). Applicants disagree with this ground of rejection.

Addressing the claimed elements of Claim 1, one element states, “transferring the first essence data and/or said second essence data into third essence data, the third essence data being multimedia data not comprised in metadata wherein a data format of the third essence data is the same as said first essence data and/or said second essence data”. This element is neither disclosed or suggest in Jain.

In the formation of the rejection for previous Claim 17 (which is now substantively incorporated into Claim 1), the Examiner wrote, “Jain teaches wherein said step of transferring the first essence data and/or second essence data into third essence data is performed without essence data format transformation (column 13 lines 51-54) (*The key frames are converted into JPEG images, which does not transform from the image format*).” Looking at the teaching of Jain, a keyframe image track images are captured as raster images (from a moving image source) and according to Jain are typically converted into JPEG images (Jain, col. 13, lines 51-55) where such JPEG images can be stored in a separate subdirectory of the Cataloger file system.

That is, the Examiner is using the Jain reference to present the concept that image data from a moving picture for first and/or second data essence *is converted* into a JPEG format for a third data essence. This conversion of data formats is directly opposite of what is claimed in amended Claim 1 where the data formats between the claimed essences are the same. As stated in the Detailed Description of the present invention, “Such a transfer without

transformation enables rapid processing,” Jain does not offer this feature in that it teaches that a conversion where keyframes from image data are converted into JPEGs (where a conversion would be a change in data formats). Hence, the present invention o Claim 1 discloses something different than Jain whereby the reference teaches away from the claimed invention of Claim 1. Applicants request that the Examiner remove the rejection to Claim 1.

Applicants assert that Claim 7 is patentable for the same reasons listed for Claim 1. In addition, Claims 2-3 and Claims 8-9 and 18 are patentable; as such claims depend on allowable Claims 1 and 7, respectively. Applicants request that the Examiner remove the rejection to these claims, as well.

Rejection of Claim 15 under 35 U.S.C. 103

The Examiner rejected Claim 15 under 35 U.S.C. 102(e) as being anticipated by Jain et al. (U.S. Patent 6,567,980 B1, hereafter referred to as ‘Jain’) in view of the Applicant’s Admitted Prior Art (AAPA). Applicants disagree with this ground of rejection.

Although the Applicants assert that Claim 15 is patentable as such as claim depends on allowable Claim 7, the Examiner is incorrect about what the Background of the Invention (as AAPA) discloses or suggests. Claim 15 states, “the device further comprises means for deleting from the metadata database the first and/or the second metadata item that was transferred to the third essence data outside the metadata database.” This claimed element is different than what is in the AAPA.

Specifically, the AAPA states that “usually those metadata, which are not utilized as index information for essence any more, should be deleted”. This statement suggests that index information as metadata link data should be deleted. This metadata link data is not the same thing as essence data. That is, typically linking metadata is considered to be data that points to essence data. Presumably, this linking data is used in cited to index in the AAPA. Clearly, the deletion of linking metadata as in the AAPA is not the same thing as deleting the essence data that is transferred to a third essence, as claimed in Claim 15.

Applicants request that the Examiner remove the rejection to Claim 15 for the reasons given above.

Having fully addressed the Examiner's rejections, it is believed that, in view of the amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No additional fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,
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June 11, 2009